



INDIVIDUAL CONSULTANT SERVICES

Energy and Water Sectors Procurement Advisor

A. Introduction

The Millennium Challenge Corporation (MCC) is a U.S. Government corporation whose mission is to provide assistance that will support economic growth and poverty reduction in carefully selected countries that demonstrate a commitment to just and democratic governance, economic freedom, and investments in their citizenry. For more information on the MCC, please visit www.mcc.gov.

The United States of America acting through the Millennium Challenge Corporation (“MCC”) has formed partnerships with some of the world’s poorest countries through large, five-year Grant Programs referred to as Compacts. MCC administers these Compacts through the Millennium Challenge Accounts (MCAs) which are entities that are set up locally to manage and oversee all aspects of the Compact implementation.

MCC has approved over \$7 Billion in Poverty Reduction Compacts worldwide that support country-determined projects in such sectors as:

- agriculture and irrigation,
- transportation (roads, bridges, ports),
- water supply and sanitation,
- access to health,
- finance and enterprise development,
- anticorruption initiatives,
- land rights and access,
- access to education

A large part of MCC’s portfolio is focused on the energy and water sectors, which is expected to grow in the new Compacts that are being developed in countries such as Ghana, Tanzania, Morocco, Sierra Leone, Liberia, and Niger.

The Procurement Practice Group, a unit within the Sector Operations Division of MCC’s Department of Compact Operations, is committed to supporting MCC’s mission by following the highest standards of professional public procurement of goods, services and works necessary for the effective development and implementation of our Compacts. Procurement efforts under the Compacts are conducted by the host country MCA entity using the MCC Program Procurement Guidelines (PPG) and standard bidding documents. The PPG are based on the World Bank procurement guidelines and standard bidding documents; MCC Compact-funded procurements

are not conducted using the Federal Acquisition Regulations (FAR). Procurements funded under the Compacts are managed by one or more Procurement Agents (PA) serving the MCA entity. The PA, which may be a government or an independent entity, works closely with the MCA entity to ensure that procurements are conducted in compliance with the MCC PPG. The staff of the Procurement Practice Group provides oversight of procurements executed by the MCAs to ensure that the procurement process meets the standards of fairness, quality and transparency. For more information on the MCC PPG, please visit www.mcc.gov/pages/business/guidelines.

MCC's success in fulfilling its mission of poverty reduction through economic growth requires effective assessment and management of risks through a comprehensive approach to prevent delays during Compact implementation. Some of these risks are found in the procurement process. A key principle for a successful Compact is MCC's commitment to taking all reasonable steps to promote the best procurement approaches and best practices in its staff and that of its country counterparts, including providing training and keeping up to date with sector trends, the market and to be acquainted with how other agencies/donors manage their procurements, and promoting our country counterparts to do the same.

MCC and MCA staff is required to work in partnership to ensure that the procurement processes are not only done according to PPG but also ensure that they are done using the most efficient process that mitigates risks of procurement delays, failed procurements and deficient contract implementation. Given that a good amount of MCC's financial investments are driven by procurement mechanisms it is critically important that this partnership works in a manner that demonstrates understanding of the current procurement trends being used in the market.

Because of these reasons, it is necessary to hire a consultant that has specific procurement experience in this area to support MCC's Procurement Practice Group.

B. Scope

The MCC Procurement Practice Group ("the Group") is seeking an independent consultant to provide expert advisory service for procuring goods, works, and services in the power/energy and water sectors. For the energy sector, the advisory includes the three phases of the energy sector: hydro generation, transmission, and distribution. The consultant will also be expected to advise MCC on alternate energy issues, as needed. For the Water sector, the advisory will be primarily in pumped and gravity-fed irrigation activities, sanitation, wastewater treatment plants, household water and waste water activities (jointly defined as "water sector"). The consultant will need to keep abreast of the latest trends in these sectors as related to international public procurement, and in particular initiatives taken by other donor organizations such as the World Bank and other multilaterals on procurements in this sector.

C. Country

Multiple countries

D. Tasks

Energy Sector – The consultant will report to the MCC assigned Contract Officer's Representative (COR) and provide the following advisory services on as needed basis:

- Brief MCC COR and other teams as requested on procurement trends in the sector, including the names of key private sector firms active in MCC Compact countries in the Africa region, technologies relevant for these countries, procurement of constructions in the sector using FIDIC red book and yellow book contracts, and the pricing structure in the sector. The deliverable for this task will be verbal and written reports as requested by the COR.
- Support the COR in the development of procurement documents that take into consideration experience of other donor agencies.
- Recommend to MCC a market outreach strategy for reaching the right target audience.
- Where requested, participate in bid reviews by visiting the country, and advise MCC on the contract awards recommended by the relevant MCAs.
- Recommend, as requested, how to incorporate life-cycle costing techniques in the entire procurement and implementation cycle in the sector.
- Recommend, as requested, alternative energy usage in MCC Compacts, and other relevant technologies.
- Verify the price estimates prepared by MCC and MCA technical staff before the solicitation announcement and post contract award.
- Support the MCC Procurement Practice Group with information related to the sector, and all other relevant energy sector related tasks as requested by the COR to promote efficient use of funds in Threshold and/or Compact countries.
- Be prepared to travel when requested to foreign countries.
- Verify price reasonableness analysis prepared by MCAs while proposing a contract award as per the MCC procurement program guidelines.
- Contribute to the achievement of specific procurement policy and objective.
- Support MCC in developing energy/power sector procurement expertise through dissemination of knowledge, updating of the relevant documents, and any other means suitable.

Water Sector – The consultant will report to the Procurement Practice Group Lead/Contract Officer's Representative (COR) and provide the following advisory services on as needed basis:

- Support MCC with approaches and strategies for the development of procurement documents that take into consideration latest sector trends, life-cycle costing analysis, and practices used in other donor agencies including multilaterals.
- Support MCC on market outreach and communication strategies to attract capable, available and responsive bidders in the procurement process for water activities.

- Review and comment on MCC's bid documents used for water procurements, and help review technical specifications, pre-feasibility and feasibility studies, qualification requirements, contract conditions, warranties, and all other relevant sections of solicitations to improve the quality of the documents.
- Contribute to the knowledge and expertise of MCC by staying abreast of current trends in international public procurement related to the water sector.
- Recommend practices and procedures for implementing procurement lessons learned in the sector, including modifications in the PPG, as relevant.
- Participate, observe, or serve as technical advisor for bid and proposal reviews in MCAs.
- Contribute to MCC procurement practice group activities as requested by the COR.
- Participate in water sector forums.
- Verify the price estimates prepared by MCC and MCA technical staff before the solicitation announcement and post contract award.
- Support the MCC Procurement Practice Group with information related to the sector, and all other relevant water sector related tasks as requested by the COR to promote efficient use of funds in Threshold and/or Compact countries.
- Be prepared to travel when requested to foreign countries.
- Verify price reasonableness analysis prepared by MCAs while proposing a contract award as per the MCC procurement program guidelines.
- Contribute to the achievement of specific procurement policy and objective.

E. Deliverables

Energy and Water sectors:

- **Inception Report** that provides a work plan for undertaking the initial introduction of best practices and the procurement documents review
- **Trip Reports or Activity Reports** to provide analysis on all trips and tasks as assigned by the COR.
- **Final Report:** This report will include the final observations and recommendations of the Consultant highlighting any additional analysis that may be required at the end of the contract, if so requested by the COR.

The deliverable schedule is as follows:

| REPORT | EXPECTED DATE |
|------------------|---|
| Inception Report | Within thirty days after contract signing |
| Trip Reports | As necessary |
| Activity Reports | As necessary |
| Final Report | One month before the end of the consultancy |

F. Period and Place of Performance

This consultancy may be filled as a short or long term consultancy with a base period of twelve months for each sector. The estimated number of hours are 720 for each sector or 1,440 hours for the Energy and Water sectors combined.

The consultant will work from its home office and/or MCC headquarters or any MCC eligible country.

Travel to various countries as required, not more than three trips per year, for not more than two weeks at a time, unless agreed otherwise by the COR.

G. Subcontracting

The consultant is authorized to subcontract data collection, data preparation, economic analysis, and related services as needed. The overall costs for subcontracting shall not exceed 25% of the consultant's total negotiated unloaded direct labor cost.

H. Conflict of Interest

The consultant would be precluded from bidding on work and services (design, assessment, construction and supervision) to be procured by the local MCA accountable entity or using funds advanced under a Compact in the relevant country, unless the consultant submits a mitigation plan sufficient to ameliorate any conflict of interest pursuant to the rules applicable to the procurement process.

I. Timing and Reporting

All formal communication with MCC, including reports, will be submitted to the COR. The COR for this requirement will be identified via separate correspondence.

The COR will have technical responsibility for monitoring the independent consultant's performance. The COR will review and evaluate the contract's performance, and also will coordinate any communications with relevant counterparts and other donor agencies and organizations.

Any change in the terms of the Contract must be made in writing and approved by the Contracting Officer. No representation of the COR shall serve as a basis for an alteration in the general scope of this Contract or of the terms and conditions of the Contract unless confirmed in writing by the Contracting Officer. The independent consultant must communicate with the Contracting Officer on all matters that pertain to the Contract terms. Proceeding with the work without proper contractual coverage could result in nonpayment for that work.

J. Other requirements

International and domestic travel to project implementation areas will be required. The consultant may be requested to mobilize on short notice and will be expected to deliver high quality finished products in a timely manner.